

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION**

**KATHRINE MAE MCKEE,**

**Plaintiff,**

**v.**

**WILLIAM H. COSBY, JR.,**

**Defendant.**

**Case No.: 3:15-cv-30221-MGM**

**WILLIAM H. COSBY, JR'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

Defendant William H. Cosby, Jr., by and through his undersigned counsel and pursuant to Fed. R. Civ. P. 12(b)(6), moves this Court for an order dismissing Plaintiff's complaint, *with prejudice*, for failure to state a claim upon which relief can be granted. In support of this motion, Mr. Cosby incorporates and relies on the reasons set forth in *William H. Cosby, Jr's Memorandum In Support Of His Motion To Dismiss Plaintiff's Complaint*, along with the exhibits filed concurrently therewith.

Pursuant to Local Rule 7.1, undersigned counsel certifies that counsel for Mr. Cosby has conferred with opposing counsel and attempted in good faith to resolve and/or narrow the issues raised by this motion. Those efforts were unsuccessful.

Dated: June 10, 2016

Respectfully submitted,

By: /s/ Marshall M. Searcy III

Christopher Tayback (*pro hac vice*)

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**CERTIFICATE OF SERVICE**

I hereby certify that, on June 10, 2016, I caused the foregoing document, along with the corresponding memorandum in support and exhibits referenced therein, to be electronically filed using the CM/ECF, which will automatically transmit Notice of Electronic Filing to the attorneys of record as follows:

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/s/ Marshall M. Searcy III

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